

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOAN SCHWAN, et al.,	)	4:04CV3384
	)	
Plaintiffs,	)	
vs.	)	<b>ORDER</b>
	)	
CNH AMERICA LLC, et al.,	)	
	)	
Defendants.	)	

IT IS ORDERED that:

1. Defendant Fiat's second motion to dismiss (filing 168) is denied.
2. Pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), Defendant Fiat shall file an answer to Plaintiffs' third amended complaint on or before October 30, 2006.

October 19, 2006.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge